

DISPOSITION: 4-19-60. Partnership—\$1,000 fine; Walser—\$1,000 fine and probation for 5 years; Chunn—\$200 fine and probation for 2 years.

6141. (F.D.C. No. 42490. S. No. 46-621/8 P.)

INFORMATION FILED: 5-24-60, W. Dist. La., against James W. Flynn, t/a Bastrop Drug Co., and George H. Jarrell (pharmacist), Bastrop, La.

CHARGE: Between 5-12-59 and 5-27-59, *tablets containing a mixture of amobarbital and amphetamine sulfate* and *tablets containing reserpine* were each dispensed 3 times upon requests for prescription refills without obtaining authorization from the prescriber, and *Equanil tablets* and *tablets containing a mixture of amobarbital and amphetamine sulfate* were each dispensed once without a prescription.

PLEA: Guilty by Flynn to all counts and by Jarrell to two counts involving the *tablets containing reserpine*.

DISPOSITION: 6-1-60. Flynn—\$800 fine; Jarrell—\$200 fine. The fines were suspended and each defendant was placed on probation for 5 years.

6142. (F.D.C. No. 38155. S. Nos. 4-334 M, 4-358/9 M, 4-426/7 M.)

INFORMATION FILED: 12-11-57, W. Dist., N.Y., against *Saratoga Pharmacy (a partnership)*, Rochester, N.Y., and *Patrick DeCillis (pharmacist)*.

CHARGE: Between 1-31-55 and 4-4-55, *pentobarbital sodium capsules* were dispensed once and *Metandren Linguets* and *Dexedrine Sulfate tablets* were each dispensed twice upon requests for prescription refills without authorization by the prescriber.

PLEA: Nolo contendere.

DISPOSITION: 5-2-60. Partnership—\$400 fine; DeCillis—\$100 fine.

6143. (F.D.C. No. 43679. S. Nos. 45-190/3 P, 45-197/8 P, 45-445 P, 45-447 P.)

INFORMATION FILED: 11-10-59, Dist. Idaho, against *Nixon Drug Store (a partnership)*, Blackfoot, Idaho, *Charles S. Nixon (partner)*, and *Cecil Pendlebury (partner)*.

CHARGE: Between 10-18-58 and 12-16-58, *Dexedrine Spansule capsules* were dispensed 3 times and *thyroid tablets* were dispensed 5 times without a prescription.

PLEA: Guilty—by the partnership to all counts; by Pendlebury to 2 counts involving *Dexedrine Spansule capsules* and *thyroid tablets*; by Nixon to 2 counts involving *Dexedrine Spansule capsules* and 4 counts involving *thyroid tablets*.

DISPOSITION: 2-24-60. Partnership—\$400 fine; Nixon—\$400 fine; Pendlebury—\$200 fine.

6144. (F.D.C. No. 43704. S. Nos. 42-743 P, 42-745/7 P, 42-752 P.)

INFORMATION FILED: 1-14-60, E. Dist. Wash., against *Virgil Elliott, Asa Benton McDaniel, and Francis W. Delaney (pharmacists)*, Spokane, Wash.

CHARGE: Between 1-30-59 and 2-4-59, *tablets containing Allylisobutylbarbituric acid*, were dispensed 4 times, and *Seconal Sodium capsules* were dispensed once upon requests for prescription refills without authorization by a prescriber.

PLEA: Guilty by Elliott to 2 counts and by Delaney and McDaniel to 1 count each involving *tablets containing Allylisobutylbarbituric acid*, and by McDaniel to the count involving *Seconal Sodium capsules*.

DISPOSITION: 2-17-60. Elliott—\$600 fine and probation for 1 year; McDaniel—\$600 fine, of which \$300 was suspended; Delaney—\$300 fine.

6145. (F.D.C. No. 42407. S. Nos. 30-016 P, 30-018 P, 30-938 P, 31-143 P.)

INFORMATION FILED: 11-18-59, S. Dist. N.Y., against Louis Malkin, t/a Charles Pharmacy, Bronx, N.Y., and Louis A. Iorio (pharmacist).

CHARGE: Between 3-13-58 and 5-15-58, *Metandren Linguets* were dispensed twice upon requests for prescription refills without authorization by the prescriber, and *Thorazine tablets* and *Dexedrine Sulfate tablets* were each dispensed once without a prescription.

PLEA: Guilty by Malkin to all counts and by Iorio to the counts involving the *Metandren Linguets*.

DISPOSITION: 4-7-60. Malkin—\$1,500 fine, 1 years imprisonment suspended, and probation for 2 years; Iorio—1 years imprisonment suspended, and probation for 1 year.

6146. (F.D.C. No. 42401. S. Nos. 29-832 P, 30-947/8 P, 30-957/8 P.)

INFORMATION FILED: 2-24-60, S. Dist. N.Y., against B.M.T. Pharmacy, Inc., New York, N.Y., Sydney Nestle (president of the corporation), and Chris Melendez (clerk).

CHARGE: Between 2-7-58 and 2-25-58, *methyltestosterone tablets* (count 1) were dispensed once, and *Metandren Linguets* (counts 2 and 3) and *amphetamine sulfate tablets* (counts 4 and 5) were each dispensed twice without a prescription.

PLEA: Guilty by Melendez to counts 1 and 2; not guilty by the corporation to all counts; and by Nestle to counts 1, 3, 4, and 5.

DISPOSITION: On 3-8-60, Melendez was given a sentence of 5 months in jail which was suspended and was placed on probation for 3 years.

On 2-25-60, the case against the corporation and Nestle came on for trial before the court and a jury. On 3-2-60, the jury returned a verdict of guilty. Thereafter, on 3-8-60, the corporation was fined \$600; and Nestle was fined \$600, given a 6 months jail sentence which was suspended, and placed on probation for 3 years.

6147. (F.D.C. No. 43239. S. Nos. 33-663 P, 33-672 P, 33-674 P, 33-682 P, 33-687 P, 33-692 P, 33-694 P.)

INFORMATION FILED: 1-7-60, S. Dist. N.Y., against Howard K. Ganbarg (partner in the Leo Ganbarg Pharmacy), New York, N.Y.

CHARGE: Between 12-9-58 and 1-14-59, *chloramphenicol capsules*, *Doriden tablets* and *dextro-amphetamine sulfate tablets* were each dispensed 1 time upon requests for prescription refills without authorization from a prescriber, and *Gantricillin tablets*, *Metandren tablets*, *Cyclogesterin tablets* and *Abbocillin* were each dispensed 1 time without a prescription.

PLEA: Guilty.

DISPOSITION: 3-29-60. \$1,000 fine.

6148. (F.D.C. No. 43728. S. Nos. 5-881/4 P, 5-886/8 P.)

INFORMATION FILED: 3-15-60, E. Dist. N.C., against Brodie D. Arnold, t/a Arnold Rexall Drugs, Raleigh, N.C., Eugene M. Ussery (pharmacist), and Ruben Emory (employee).